

## CHARTER

### BUREAU OF INDIAN AFFAIRS ADVISORY BOARD FOR EXCEPTIONAL CHILDREN

1. Official Designation: Bureau of Indian Affairs (BIA) Advisory Board for Exceptional Children.
2. Purpose and Objectives: The Board shall assist the Secretary of the Interior (Secretary) in performing his duties under the Individuals with Disabilities Education Improvement Act by advising the Secretary on the needs of American Indian children with disabilities.
3. Duties of the Board: The Board will provide advice and recommendations only. The duties of the Board are detailed in Public Law 108-446, Part B as follows:
  - a. Assist in the coordination of services within the BIA and with other local, State and Federal agencies in the provision of education for infants, toddlers, and children with disabilities;
  - b. Advise and assist the Secretary in the performance of the Secretary's responsibility in the provision of education for infants, toddlers, and children with disabilities as described in the IDEA Section 611(i).
  - c. Develop and recommend policies concerning effective inter- and intra-agency collaboration, including modification to regulations, and the elimination of barriers to inter- and intra-agency programs and activities;
  - d. Provide assistance and disseminate information regarding best practices, effective program coordination strategies, and recommendations for improved early intervention services or educational programming for American Indian infants, toddlers, and children with disabilities; and
  - e. Provide assistance, advice and recommendations regarding the preparation of information required to be submitted to the Secretary of Education.

The Board will prepare and submit an annual report to the Secretary and Congress containing a description of the activities of the Board for the preceding year. The Secretary shall make this annual report available to the Secretary of Education.

4. Duration: The Board's existence is mandated by Public Law 105-17, as amended by Public Law 108-446, and is expected to continue for an indefinite period of time. The Board is subject to the requirements of the Federal Advisory Committee Act (FACA), 5 U.S.C., Appendix 2. This charter will expire two (2) years from the date of filing unless rechartered prior to the expiration date consistent with Section 14 of FACA.

5. Official to Whom the Board Reports: The Board reports to the Assistant Secretary-Indian Affairs through the Director, Bureau of Indian Education.
6. Designated Federal Officer: Director, Bureau of Indian Education or their designee
7. Administrative Support: Administrative support for the Board will be provided by the Bureau of Indian Education's Branch of Special Education.
8. Estimated Operating Costs: Activities of the Board will require an estimated \$100,000 annually, including approximately one FTE per year for support.
9. Allowances for Committee Members: Members of the Board will not receive compensation but may be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of their duty consistent with the provisions of Title 5, United States Code, Section 5703.
10. Meeting Frequency: The Board will meet no less than twice annually.
11. Membership:
  - a. The Board shall be composed of 15 members appointed by the Secretary. Board members shall serve for a term of two years from the date of their appointment. Vacancies occurring through removal, resignation, or death will be filled for the balance of the vacating member's term in the same manner in which the original appointment was made.
  - b. As required by the Individuals with Disabilities Education Improvement Act of 2004, the Board will be composed of individuals involved in or concerned with the education and provision of services to American Indian children with disabilities. The Board composition will reflect a broad range of viewpoints and will include representatives from among the following groups or organizations:
    - i. Indian persons with disabilities
    - ii. Teachers of children with disabilities
    - iii. American Indian parents or guardians of children with disabilities
    - iv. Service providers
    - v. State Education Officials
    - vi. Local Education Officials
    - vii. State Interagency Coordinating Councils (for State having American Indian reservations)
    - viii. Tribal representatives or tribal organizational representatives
    - ix. Bureau of Indian Education employees concerned with the education of children with disabilities

12. Ethics Responsibility: No committee or subcommittee member shall participate in any specific party matter including a lease, license, permit, contract, claim, agreement, or related litigation with the Department in which the member has a direct financial interest.

13. Statutory Authority: Individuals with Disabilities Education Act, as amended, Public Law 108-446, Part B.



Secretary of the Interior

Date Signed JAN 15 2009

Date Filed JAN 30 2009